

Amendments to the Drawings:

The attached drawing sheet, having FIGS. 3-4, includes changes to FIG. 3. This sheet replaces the previous sheet that included FIGS. 3-4. FIG. 3 has been amended in the attached sheet to show reference numerals for the resistor, the nozzle, and the media, as required in the Office Action. The specification is being amended herein to include these reference numerals, as also required in the Office Action. Applicants respectfully request that these amendments be entered.

Attachments: One Replacement Sheet

Remarks

The Official Action dated May 23, 2005 has been carefully considered. Consideration of the changes and remarks presented herein and reconsideration of the rejections are respectfully requested.

Claims 1-4, 6-14, 16, 18-26, and 28-29 remain in the present application. Applicants are appreciative for the Examiner's indication that claims 8-11 and 20-23 would be allowable and that claim 29 is allowed. Independent claims 1 and 3 have been amended herein to delete the words "passage" and "chip." Support for these amendments can be found in the specification, claims, and drawings as originally filed, such as at page 3, lines 13-16 and page 5, line 30 to page 8, line 9. Accordingly, it is believed that these changes do not involve any introduction of new matter, and entry is believed to be in order and is respectfully requested.

Drawing Objections

The drawings were objected to because reference numbers are not shown for the nozzles, resistor, and print media. The drawings were also objected to under the position that the passage and silicon chip are not shown in the drawings. Applicants have made amendments herein making these objections moot. The drawings have been amended herein to show reference numerals for the nozzles, resistor, and print media, and the claims have been amended to delete the words "passage" and "chip." Thus, it is respectfully requested that the objections to the drawings be reconsidered and withdrawn.

Specification

The disclosure was objected to because reference numbers for the nozzles, resistor and printer media are missing. The specification has been amended herein to add the corresponding reference numbers. Thus, it is respectfully requested that the objections to the specification be reconsidered and withdrawn.

Claim Rejections

Claims 1, 3-4, 12-14, 16 and 24-25 were rejected under the argument that they are anticipated by Imanake (6,264,302); dependent claims 2, 6, and 18 were rejected under the argument that they are unpatentable over Imanake in view of alleged admitted prior art; dependent claims 7 and 19 were rejected under the argument they are unpatentable over Imanake in view of Schulte (6,567,251); and dependent claims 26 and 28 were rejected under the argument they are unpatentable over Imanake in view of Hawkins (5,010,355).

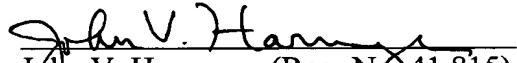
In the Office Action, it is stated that Imanake discloses a capacitor/capacitor means (701/702) on the ink jet print head for supplying current to heat the printhead resistor to cause nozzles to fire, and that the capacitor is secured to a housing and is located adjacent the inkjet printhead silicon chip and secured therewith. However, Applicants respectfully submit that elements 701/702 of Imanake are electrodes used as a detector such that it can be determined "whether a bubble is present in the vicinity of the heat generating member." See e.g., Col. 5, lines 39-47. The reference states that this is carried out by "movable electrode 701 and a fixed electrode 702" which "are provided as displacement detection means for detecting the displacement of the movable member 31." See e.g., Col. 39, line 53 to Col. 40 line 3. Accordingly, these electrodes do not supply current to a printhead resistor to cause nozzles to fire. Thus, the reference does not disclose all of the elements of independent claims 1 and 3. Moreover, these electrodes are not an "ink nozzle firing capacitor", and the reference therefore also does not disclose all of the elements of independent claim 14. In order to anticipate a claim, a reference must teach each and every element of the claim. MPEP § 2131. In particular, ``Under 35 U.S.C. § 102, every limitation of a claim must identically appear in a single prior art reference for it to anticipate the claim.'' Gechter v. Davidson, 116 F.3d 1454, 1457, 43 USPQ2d 1030, 1032 (Fed. Cir. 1997). For at least these reasons, the Imanake reference does not disclose every element of the claims, in contrast to the assertion

in the Office Action. Accordingly, it is requested that the rejections under 35 USC § 102 be reconsidered and withdrawn.

As for the rejections under 35 USC § 103, Applicants did not find the other cited references as making up for the deficient elements of the Imanaka reference, nor were the other references cited in the Office Action for showing these deficient elements. A §103 rejection based upon a combination of references is not proper unless there is some suggestion or motivation to make the combination, and the combination must teach or suggest all the claim limitations. MPEP § 2143. Furthermore, even if prior art could be combined to result in a claimed invention, the combination would not render a claim obvious unless the prior art suggests the desirability of the combination. In re Mills, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990). Applicants found no teaching or suggestion in the prior art to combine the references to arrive at the invention as defined by the respective claims.

Accordingly, for at least the above reasons, it is respectfully requested that the rejections be reconsidered and withdrawn. It is believed that the above represents a complete response to the rejections and that the present application is in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,


John V. Harmeyer (Reg. No. 41,815)
DINSMORE & SHOHL LLP
1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
(513) 977-8649